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Before the
Federal Communications Commission
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of Section 73.622(b)) MM Docket No. 01-127
Digital Television Table of Allotments) RM-10132
(Pittsburg, Kansas))

To: Chief, Video Services Division

COMMENTS IN SUPPORT OF NOTICE OF PROPOSED RULE MAKING

Saga Quad States Communications, Inc. ("Saga"), licensee of television station KOAM-TV (NTSC Channel 7), Pittsburg, Kansas, by its undersigned attorneys and pursuant to Section 1.415 of the Commission's rules, hereby files its comments in support of the proposal described in the Commission's *Notice of Proposed Rule Making*, DA 01-1464, released June 25, 2001 ("NPRM"), which proposes to amend Section 73.622(b) of the rules to substitute DTV Channel 13 for DTV Channel 30 at Pittsburg, Kansas, as the digital television channel assigned to KOAM-TV.

Interested parties have until August 9, 2001, within which to file Comments on the NPRM, so these Comments are timely filed. Saga demonstrated in its petition for rule making filed December 12, 2000, that DTV Channel 13 can be allotted to Pittsburg, Kansas, for use by KOAM-TV for digital television using the station's authorized NTSC transmitter site, in full compliance with all applicable coverage and allocation criteria. In its petition for rule making, Saga showed that the allocation of DTV Channel 13 to Pittsburg, Kansas, at the KOAM-TV site will permit coverage of the entire community of Pittsburg with the requisite 36 dBu contour. In addition, the allocation meets the *de minimis* 2%/10% interference procedures outlined in the FCC's DTV Processing Guidelines (Sections 73.625(c) and 73.623(c)(2)) of the Rules. Also,

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Saga showed that the proposal is not in proximity to the Canadian or Mexican border areas. Moreover, there is no adverse impact expected on any Class A TV stations.

Saga showed that the digital channel substitution would serve the public interest since it would facilitate the introduction of digital television service to the largely rural area served by KOAM-TV. Saga demonstrated that in order to implement DTV channel 30 at Pittsburg, Kansas, Saga would be required to construct a new tower facility because Saga believes the current tower used by KOAM-TV for Channel 7 NTSC operations cannot support the weight of an additional UHF antenna for DTV Channel 30 (although the existing tower would support the weight of a VHF antenna capable of radiating both a VHF analog and VHF DTV signal through the use of a combiner and a common transmission line to a common VHF antenna). Use of Channel 13 at Pittsburg would resolve this problem. If Saga did not have to construct a new tower to support an additional UHF antenna, it believes it could avoid any issues raised by the Federal Aviation Administration. Utilization of UHF Channel 30 at Pittsburg would require Saga to install a significantly larger and more costly transmitter and transmission line and operate with a higher and, therefore, more costly power output level than necessary for DTV operations on a VHF channel using a combined antenna. The increased cost of constructing a new tower to support a UHF antenna and increased equipment costs and the additional costs of operating a UHF DTV facility present a serious barrier to the implementation of DTV service in a small community like Pittsburg (1990 population, 17,775). This barrier could be removed or greatly lessened by adopting Saga's proposal. Additionally, use of DTV Channel 13 would more nearly allow Saga to replicate the analog signal of KOAM-TV, Channel 7, using a greatly reduced power level. The Chief, Video Services Division, in *Lead, South Dakota*, DA 01-487,

released February 26, 2001, and in *Rapid City, South Dakota*, DA 01-379, released February 15, 2001, substituted VHF channels for UHF channels for DTV use on similar grounds.


As Saga has already stated, should the Commission allocate the channel requested herein, Saga will promptly apply for a construction permit for the facility and undertake to build and operate the station on DTV Channel 13 if the permit is granted.

Saga incorporates by reference herein and restates the public interest grounds presented in its petition for rule making in support of its request to allot Channel 13 to Pittsburg, Kansas; but in summary, allotment of a VHF channel, rather than a UHF channel, will facilitate the introduction of digital television service to the largely rural area served by KOAM-TV.

Saga respectfully requests that the Commission expeditiously substitute DTV Channel 13 for DTV Channel 30 at Pittsburg, Kansas, as the digital television channel assigned to KOAM-TV for use by KOAM-DT in order to allow Saga sufficient time to prepare and file its application for a construction permit, receive a grant of the construction permit, order equipment, take delivery and construct the DTV facilities by the deadline of May 1, 2002.

Respectfully submitted,

**SAGA QUAD STATES
COMMUNICATIONS, INC.**

A handwritten signature in black ink, appearing to read 'Gary S. Smithwick', written over a horizontal line.

By: _____
Gary S. Smithwick
Its Attorney

SMITHWICK & BELENDIUK, P.C.
5028 Wisconsin Avenue, N.W.
Suite 301
Washington, D.C. 20016
(202) 363-4050

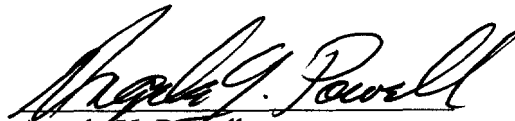
July 24, 2001

CERTIFICATE OF SERVICE

I, Angela Y. Powell, a paralegal in the law offices of Smithwick & Belendiuk, P.C., hereby certify that on July 24, 2001, a copy of the foregoing Comments in Support of Notice of Proposed Rule Making was delivered to the following:

Ms. Pamela Blumenthal*
Federal Communications Commission
The Portals II
445 Twelfth Street, S.W.
Room 2-A762
Washington, DC 20554

*by hand



Angela Y. Powell